

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN SULLIVAN, an individual and  
WHOLESALE WOODFLOOR  
WAREHOUSE, a Nevada corporation,

Plaintiffs,

v.

LUMBER LIQUIDATORS, INC. a Delaware  
corporation,

Defendant.


No. C-10-1447 MMC

**ORDER VACATING MAY 28, 2010  
HEARING**

Before the Court is defendant Lumber Liquidators, Inc. ("Lumber Liquidators"), Motion to Dismiss Or, In The Alternative, To Stay Pending Arbitration, filed April 22, 2010. Plaintiffs Kevin Sullivan ("Sullivan") and Wholesale Woodfloor Warehouse have filed opposition, to which Lumber Liquidators has replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter appropriate for determination on the parties' written submissions, and hereby VACATES the hearing scheduled for May 28, 2010.

**IT IS SO ORDERED.**

Dated: May 25, 2010

  
MAXINE M. CHESNEY  
United States District Judge